

APRIL 15, 2010**PUBLIC HEARING****7:00PM**

Present at meeting

Ralph Bentley

Supervisor

Frank Hill

Councilman

Kenneth Higgins

Councilman

Robert Olson

Councilman

Joseph Dooris

Councilman

Krista Wood

Town Clerk

Paul Smith

Highway Superintendent

Also: Gordon Hayes, Gary Frenz, Harry Balz, Abraham Gadj, Christine Smith-Hayes, Matt Simpson, Jason Willette, Matt Wood, John Donovan, Gary Feddes, Robert and Pat Yosco, John Roulier, Dean Munson, Steven Smith, Brian Johnson, Karen Pratt, Lisa Fish, Mark Montanye, and others.

Supervisor Bentley opened the Public Hearing and welcomed guests.

The clerk read published legal notice of the public hearing pertaining to the proposal to re-open a portion of Pumpkin Hollow Road, which is currently a Qualified Abandoned road in the Town of Horicon. A petition was received in opposition to said Proposal with signatures from the following: Patrick Doody, Charles Komanoff, Judy Levine, Bruce Fisher, Leanne Fisher, Robert Yosco, Pat Yosco, Dean Munson, James Flynn, Catherine Flynn, Clyde Rows, Sandra Iden, Peter LeValley, Bonnie LeValley, Gary Feddes, and Virginia Feddes. The following individuals spoke during the Public Hearing regarding the Proposal:

Mr. John Roulier of North Beaver Pond Rd. stated he would like to see Beaver Pond Rd. fixed before monies are spent on any other roads. He stated that the residents of Beaver Pond Rd pay higher taxes than others and it bothers him that the road is in the condition it is. He feels the Town should be ashamed of themselves for having a road right in front of vacation homes that is such a mess.

Mr. Abraham Gadj gave a brief history on Pumpkin Hollow Rd. He noted that it was his choice to move onto the road knowing it was a Qualified Abandoned road and he has made many improvements to the northern end of the road, at his own expense, to make it passable. At this point in time he is asking the Board to reclaim and maintain the northern portion of the road so that he is entitled to the same benefits as other taxpayers.

Mr. Dean Munson stated that monies should be spent on other roads that serve more people rather than a road that serves only one person. Mr. Gadj pointed out that there are other people on the road that would benefit.

Mr. Bob Yosco of Beaver Pond Rd. made the point that the road is not accessible by car in spots and it would take a lot to make it passable. He has asked for four years that Beaver Pond Rd. be fixed and was repeatedly told the money was not there to fix it. So it is his feeling that if the money is available now it should be used to fix Beaver Pond Rd. first.

Mr. John Donovan from Beaver Pond Rd. stated that he feels the Town has tried to do the best they can with what limited funds they have. It is his opinion that it would not be in the best interest of the public to spend funds on re-opening a portion of Pumpkin Hollow Rd. Mr. Donovan suggested that Mr. Gadj instead gate his driveway to keep the public off of his property. He stated

that Pumpkin Hollow Rd. is not a "real road" anyway and now is not the time to do this.

Mr. Gary Feddes spoke in support of Mr. Donovan's comments and added that he feels the Town is obligated to maintain the highways they already have.

Mr. Gadjo spoke again on his original request to close the road. If he is going to have to continue to pay to maintain a public road then he should have the right to stop the through traffic across his private property. He has to pay to maintain it yet he is getting no benefit including "no sanding, no maintenance, no mailbox, no anything." If the Town isn't going to maintain it then he feels it should not be open to the public.

Mr. Matt Wood spoke in support of re-opening the road and asked the Board if an estimated cost had been established to re-open the northern portion of Pumpkin Hollow Rd. Highway Superintendent Smith stated that he had no cost figure on what it would take to re-open the road. Mr. Wood also made the point that if the Town is looking to attract new businesses, tax dollars, etc. and does not do anything with some of these roads it will deter people from moving in. Whereas, the possibility is there that if the Town re-opens the road maybe people would move onto the road which would mean more tax revenue for the Town.

Mr. Steve Smith spoke in favor of re-opening the road and noted that Mr. Gadjo is basically maintaining a town right-of-way and in essence is providing a service to the Town. Mr. Smith also made the point that he had looked at a piece of property that was for sale on Pumpkin Hollow Rd and was very interested in buying it but the reason he decided against it was because Pumpkin Hollow Rd is not a Town road and therefore not maintained by the Town. He also noted that if not for the maintenance Mr. Gadjo had done on the road he would not have been able to access the piece of property that is for sale.

Mr. Brian Johnson stated that he uses the road quite frequently. He posed the question as to how the cost to Mr. Gadjo of maintaining the road might correspond to the taxes he pays and might there be the possibility of a reduction of his taxes in return for his maintaining the Town right-of-way.

There being no further comments from the audience, the Public Hearing was closed at 7:25 PM.

APRIL 15, 2010**REGULAR MEETING****7:20PM**

Present at meeting

Ralph Bentley

Supervisor

Frank Hill

Councilman

Kenneth Higgins

Councilman

Robert Olson

Councilman

Joseph Dooris

Councilman

Krista Wood

Town Clerk

Paul Smith

Highway superintendent

Also: Gordon Hayes, Gary Frenz, Harry Balz, Abraham Gadjo, Christine Smith-Hayes, Matt Simpson, Jason Willette, Matt Wood, John Donovan, Gary Feddes,

Robert and Pat Yosco, John Roulier, Dean Munson, Steven Smith, Brian Johnson, Karen Pratt, Lisa Fish, Mark Montanye, and others.

Supervisor Bentley opened the Meeting at 7:25 PM.

Reports: Supervisor, Town Clerk, and Zoning.

Approval of Minutes: The minutes of March 18, 2010 were approved by MOTION of Messrs. Olson and Hill, all ayes:

Approval of April Abstracts:

RESOLUTION NO. 54 OF 2010

Messrs. Olson and Hill introduced Res. 54 and moved its adoption, all Ayes.

RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS

RESOLVED, that the Town Board does hereby authorize the Bookkeeper to pay the following April Vouchers and Abstracts:

General Vouchers	# 93-108	\$ 9,674.35
Highway Vouchers	# 59-75	\$ 30,963.74
General Abstracts	9 & 11	\$ 22,105.12
Highway Abstracts	9 & 11	\$ 15,203.22

The Town Clerk noted a correction to the March 18, 2010 Minutes. The Highway Vouchers #37-58 were incorrectly noted as being \$31,139.77. The actual amount of Highway Vouchers #37-58 was \$18,694.21.

Resolutions:

RESOLUTION NO. 55 OF 2010

Messrs. Dooris and Higgins introduced Res. No. 55 and moved its adoption, all Ayes.

RESOLUTION ESTABLISHING STANDARD WORKDAY FOR ELECTED POSITIONS IN THE TOWN OF HORICON UNDER THE RETIREMENT AND SOCIAL SECURITY LAW

WHEREAS, the New York State Retirement System requires that the Town establish a standard number of days worked for each elected position, NOW, THEREFORE BE IT,

RESOLVED, that the standard workday for elected Town of Horicon Officials shall be as follows:

<u>POSITION</u>	<u>WORKDAY</u>	<u>WORKWEEK</u>
Supervisor	7 hours	5 days / week
Town Council Member	6 hours	5 days / month
Town Clerk	7 hours	5 days / week
Highway Superintendent	7 hours	5 days / week

RESOLUTION NO. 56 OF 2010

Messrs. Olson and Higgins introduced Res. No. 56 and moved its adoption, all Ayes.

RESOLUTION TO AUTHORIZE EXPENDITURES FOR THE FISHING DERBY AND POSTING OF THE MILL POND

RESOLVED, that the Town Board does hereby authorize radio coverage to advertise the annual fishing derby at the Mill Pond in Brant Lake at a cost not to exceed \$450.00. The Board further authorizes that \$350.00 is to be given to the

Chestertown Conservation Club to be used for prizes for the fishing derby. BE IT FURTHER

RESOLVED, that the Town Board does hereby authorize the posting of "NO FISHING" signs from the time the Mill Pond is stocked until the day of the derby which will be Saturday, May 15, 2010.

RESOLUTION NO. 57 OF 2010

Messrs. Dooris and Hill introduced Res. No. 57 and moved its adoption, all Ayes.

RESOLUTION TO HIRE LIFEGUARDS FOR SUMMER

RESOLVED, that the Town Board does hereby hire Tim O'Neil and Megan Whelan as lifeguards for the Town Beaches this summer season. Mr. O'Neil will work at the Adirondack Beach and Miss Whelan will work at the Brant Lake Beach. Salary is set at \$11.50 per hour for a thirty-hour week.

RESOLUTION NO. 58 OF 2010

Messrs. Higgins and Olson introduced Res. No. 58 and moved its adoption, all Ayes.

RESOLUTION TO DESIGNATE POLLING PLACES IN THE TOWN OF HORICON

WHEREAS, Pursuant to Article 4-104 of the New York State Election Law, the Town Board of the Town of Horicon must submit to the Warren County Board of Elections a listing of the polling places in the Town of Horicon in each Election District in which Elections are held, NOW THEREFORE BE IT RESOLVED, that the following handicapped accessible locations be and are hereby designated as the respective polling places in the Districts as enumerated:

Election District #1	Horicon Community Center
Election District #2	6604 State Rt. 8
	Brant Lake, NY 12815

RESOLUTION NO. 59 OF 2010

Messrs. Dooris and Olson introduced Res. No. 59 and moved its adoption, all Ayes.

RESOLUTION OF INTENT FOR LEAD AGENCY DESIGNATION

WHEREAS, the Town Board of the Town of Horicon does hereby declare its intent to seek Lead Agency designation for the SEQRA review related to the Proposed Horicon Birches Pre-Existing Subdivision Zoning Amendment.

Action on Public Hearing:

Proposal to Re-Open Pumpkin Hollow Rd.: An inquiry was made as to the determination on Pumpkin Hollow Rd. Councilman Dooris noted that the Town has a road standard that they hold developers to and he did not feel it would be appropriate to re-open Pumpkin Hollow Rd. to a lesser standard than the developers are held to. He is not in favor of re-opening the road. Councilman Olson agreed with Councilman Dooris and further noted that there would need to be an estimate as to what the re-opening of the road would cost the Town. At this point, Mr. Olson feels that it is an issue that could be looked at it in the future if and when the money is available and when it can be budgeted. The following Resolution was made:

RESOLUTION NO. 60 OF 2010

Messrs. Dooris and Hill introduced Res. No. 60 and moved its adoption, all Ayes.

RESOLUTION TO TAKE NO ACTION ON REQUEST REGARDING PUMPKIN HOLLOW RD.

RESOLVED, that it is the decision of the Town Board of the Town of Horicon to take no action on the request to re-open the northern 4/10 mile (approximately) of Pumpkin Hollow Rd., nor will it take any actions at this time to close off any section of Pumpkin Hollow Rd.

Mr. Mark Schachner, Town Attorney, did make the point that the Town is in no way promising that the outcome will be different in the future if the question is raised again. Mr. Gadjo requested that the Town remove the ledge outcropping at the beginning of the road. The Board agreed that is something that should be taken care of. Councilman Hill raised the question as to whether Pumpkin Hollow Rd is a "travel at your own risk" road. Mr. Schachner stated that this is the purpose of a Qualified Abandoned Road; it relieves the Town of responsibility and liability; whereas the public retains the right-of-way but the Town is not obligated to maintain it.

Old Business:

Carol Velesko - Inquiry on property in Adirondack: Ms. Carol Velesko had inquired as to the Board's intent for the 21 Church St. property in Adirondack as she is very interested in purchasing the property. After a brief discussion, the Board made the decision that the 21 Church St. property in Adirondack is not for sale.

Veterans Memorial Park: The plaque for Jeremiah Monroe is being delivered to the park and will remain covered until the dedication. Councilman Hill asked Harry Balz and the Beautification crew to have the grounds ready by May 15th. Mr. Balz advised the Board that he had priced out the sod and it would be \$414 if delivered and \$308 if the Highway Department could pick it up.

North Warren Emergency Squad: Mr. Harry Balz reported to the Board that he has met again with the NW Emergency Squad and has received a full set of SOP and a complete set of the revised by-laws'. He finds the Squad to be very cooperative and feels the issues with the Squad can be straightened out to the degree that the Board is satisfied. Councilman Olson asked if the by-laws were now complete. Lisa Fish, NWEMS, confirmed that the March 16, 2010 set is the new complete set. The new by-laws have been approved and now must be tabled for 30 days before they can be adopted. Attorney Schachner, on behalf of the Board, requested that the Squad add the following clause at the end of Section 3, Sub-Section 2.5.5 to read "Subject to the approval of the Board of Directors". After further discussions on this matter the Board decided not to take any further action at this time. The following Resolution was passed:

RESOLUTION NO. 61 OF 2010

Messrs. Dooris and Hill introduced Res. No. 61 and moved its adoption:

Ayes: Dooris, Hill, and Bentley Nays: Higgins and Olson

RESOLUTION TO TABLE NORTH WARREN EMERGENCY SQUAD MATTER UNTIL MAY 20, 2010 TOWN BOARD MEETING

RESOLVED, that the Town Board of the Town of Horicon does hereby the matter of the North Warren Emergency Squad contract to be tabled until the Board meets again on Thursday, May 20, 2010.

New Business:

New Loader for Highway Department: Councilman Hill and Councilman Olson expressed concerns regarding buying a piece of equipment before knowing how much money the Town would have available next year. Mr. Olson also added that he would not be in favor of the Town incurring any debt, noting that it may be best to at least wait until Fall to see where the Town stands at that time. Supervisor Bentley noted that it would be possible to pay cash next year. The following Resolution was then passed:

RESOLUTION NO. 62 OF 2010

Messrs. Dooris and Hill introduced Res. NO. 62 and moved its adoption, all Ayes.

RESOLUTION TO ADVERTISE FOR BIDS FOR A NEW LOADER

RESOLVED, the Town Board of the Town of Horicon does hereby authorize the Town Clerk to solicit, by legal advertisement, bids for a new 2010 Diesel Powered Four Wheel Drive Loader for the Highway Department. Bids are to be publicly opened at 1:00 PM on Thursday, May 20, 2010.

Privilege of the Floor:

Mr. Jason Willette inquired about the date for Horicon Day. Councilman Dooris reported that Horicon Day will be held Saturday, August 7, 2010.

Mr. John Raulier of Beaver Pond Rd. asked if monies could be budgeted for next year to make needed repairs on Beaver Pond Rd. Highway Superintendent Smith responded that the Highway Department would make some repairs but there would be no major reconstruction.

Mr. Jason Willette spoke on the traffic congestion around the Mill Pond during the Fishing Derby. He suggested putting up signs on Route 8 to make drivers aware of the activity. He also suggested blocking off Market Street and holding the activities there to alleviate congestion on Route 8 and to make it safer for the kids. The Board noted that Market St. is a County road but they would look into those suggestions.

Adjourn...

There being no further business to attend to the meeting was adjourned at 8:45 PM by MOTION of Messrs. Olson and Dooris, all in favor.

Respectfully Submitted:

Town Clerk